



Upper Uwchlan Township
Board of Supervisors Workshop

May 13, 2014

4:00 p.m.

Minutes

Approved

In attendance:

Cathy Tomlinson, Chair
Kevin Kerr, Vice-Chair
Guy Donatelli, Supervisor

Cary Vargo, Township Manager
Gwen Jonik, Township Secretary
John DeMarco, Police Chief
Mike Heckman, Director of Public Works

Invited Guests:

Kristin Camp, Esq., Buckley Brion McGuire and Morris LLP

Cathy Tomlinson called the Workshop to order at 4:00 p.m.

Wireless Communications Facilities Ordinance

Kristin Camp, Esq., is assisting the Township with updating the existing wireless communications facilities ordinance, necessitated by the advancement of technology since the late 1990s. The updated ordinance addresses tower-based and non-tower-based facilities, in and out of the right of way (ROW), adds several definitions, addresses co-locating carriers, provides for wind and height standards, maintenance requirements, compliance with FAA lighting laws, and tower-based facilities can't be located on historic properties. The Ordinance also addresses tower-based facilities on Township property if approved by Conditional Use Approval and emergency/public safety communications facilities. Kevin Kerr asked that 'rust-brown oxidized steel' be added to the appearance standards, as that coloration blends into surroundings. Ms. Camp will revise the Ordinance draft and move forward in the approval process.

Chester County Voice Radio Upgrade Project – Project Update

Cary Vargo introduced attendees Levin Czubaroff, Esq., Devin Guth, ACD Telecom, and Ed Atkins, Director - Chester County Department of Emergency Services, who are working on the Project of upgrading the County's existing emergency communications system, which includes the proposal of installing a communications tower next to Upper Uwchlan's Route 100 Wastewater Treatment Facility. Mr. Vargo advised he had published on the Township's website, as well as to the neighboring Homeowners Associations, a press release regarding the communications tower. No comments have been received to date.

Mr. Czubaroff thanked the Board for considering the proposal and working to update the Township's Wireless Communications Facility Ordinance. Director Atkins briefly reviewed the project. Upper Uwchlan is in the southern point of a large problem area; along with existing tower sites throughout the County, several new tower sites will provide 97% coverage for the portable radios.

The proposed tower is 300' tall, plus 21' with antennas, the appropriate FAA lighting, and such. The Board again questioned the location, in a valley rather than hilltop. Mr. Guth advised that the location is computed according to where you need to target the coverage. The Board also questioned what the tower might hit if it fell. Mr. Guth advised that towers typically don't fall over straight; they crumble as they fall, but it wouldn't hit anything if it fell at this location. The County is proceeding toward renewing or establishing land lease agreements for the tower sites.

Disposition of Township Property

The Township recently placed a retired Police Department vehicle for sale on an on-line auction site. Fifty bids were placed and the high bid was \$2,650.00. Tax, title transfer and tags are at the expense

of the high bidder. The Board is requested to approve the sale of the 2008 Ford Crown Victoria (VIN ending in 1125) at \$2,650.00. Mr. Donatelli moved, seconded by Mr. Kerr, to approve the sale at \$2,650.00. The Motion carried unanimously.

2014 Roadway Repair and Paving Projects

Mike Heckman presented a review of the roadway repair and paving projects as budgeted and recommended the addition of several roadways due to the rapid deterioration as a result of the severe winter weather. He recommends using a portion of the reserves annually built into the liquid fuels fund budget for situations such as this, to accomplish both the budgeted and additional repairs and paving. This will keep the Department's 15-year road repaving cycle on schedule. The Board agreed with the recommendation.

Open Session

Resident Tim Grove commented he's had no further contact from Hankin Group regarding Hankin's concept for an apartment building in Eagleview – Upper Uwchlan Township.

Steve McNaughton suggested extreme care be taken when the Township reviews Agreements with Columbia Gas as he was advised to watch for language regarding future pipelines. They are also requesting additional area for 'safety' purposes.

Guy Donatelli asked about Sunoco's proposal to run a new line and install a pump station at Milford and Little Conestoga. Cary Vargo advised that he filed a letter with the PUC detailing our concerns, Sunoco has filed petitions, and Sunoco is supposed to come to us with a subdivision/land development plan but nothing has been submitted to date. Mr. Donatelli also inquired if 'principal use' comes into play in a situation like this where the property's principal use is agriculture. This use isn't an accessory use, so the property owners most likely will sell the land in question rather than be in violation.

Township Manager's Report

Cary Vargo briefed the Board on several items:

1. Shire Pharmaceuticals purchased ViroPharma recently and Shire moved the business out of the township;
2. The new emergency back-up generator for the township building is expected to be installed next week. We're considering donating our existing generator to West Pikeland Township. The topic will be included on agenda for the May 19, 2014 Supervisors meeting.
3. Toll Brother' Ewing development: The 2002 Conditional Use Decision & Order states an access from Upper Uwchlan Township through West Vincent Township to Eagle Farms Road. West Vincent granted Land Development Approval that didn't call for that road. Toll is building 40 homes in its West Vincent Township portion of Ewing. These 40 homes are included in the Byers Station/Ewing wastewater treatment system. Mr. Vargo suggests Toll's and our traffic engineers study the traffic patterns (funded by Toll) to determine the necessary access requirements.

Adjournment

There being no further business to be brought before the Board, Cathy Tomlinson adjourned the Workshop at 5:45 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary